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Defense Authorization Analysis – Fiscal Year 2008

An Analysis of Provisions Pertaining to the National Guard in the FY2008 National Defense Authorization Conference Report

(H.R. 1585 / H.R. 4986 / H.Rpt. 110- 477)

February 4, 2008

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The Fiscal Year 2008 Defense Authorization Bill includes some of the most profound changes in the National Guard to be promulgated in recent memory. Many of these are a result of elements of the National Guard Empowerment Act which were included in the final conference version of the bill.

This guide provides only a short summary and analysis of the many National Guard-related provisions in the 1400 page report. To obtain a complete understanding of any particular provision, users are encouraged to review the actual legislative language contained in the applicable section of the law. The complete Conference Report is available at the NGB-LL web page at [HTTP://WWW.NGB.ARMY.MIL/LL/](http://www.ngb.army.mil/ll/)

The original compromise between the House and the Senate (H.R. 1585) was unexpectedly vetoed by President Bush in December. Congress quickly drafted a new version of the bill (H.R. 4986) which addressed the Administration's concerns. Except for a 0.5% pay increase made retroactive to the beginning of 2008, H.R. 1585 and H.R. 4986 are identical in all provisions affecting the National Guard. Because the House and Senate passed H.R. 4986 in identical form, there is no new conference report. The original conference report (H.Rep. 110-477) should be considered the accompanying conference report for the final FY08 NDAA (H.R. 4986).

Finally, please note that this analysis pertains only to the AUTHORIZATION bill. For funding matters, please refer to analysis of the APPROPRIATIONS bill.

Fiscal Year 2008 National Defense Authorization Act Status

(updated 04 Feb 2008)

	Authorization Committee Report	Passed in Chamber	Conference Committee Report	Passage of Conferenced Bill	Vetoed	Passed in Chamber	Signed into Law
House	<input checked="" type="checkbox"/> 11 May 2007 (H. Rep. 110-146)	<input checked="" type="checkbox"/> 17 May 2007	<input checked="" type="checkbox"/> 6 Dec 2007 (H.Rep. 110-477)	<input checked="" type="checkbox"/> 12 Dec 2007	<input checked="" type="checkbox"/> 28 Dec 07	<input checked="" type="checkbox"/> 16 Jan 2008 (H.R. 4986)	<input checked="" type="checkbox"/> 28 Jan 2008
Senate	<input checked="" type="checkbox"/> 5 June 2007 (S. Rep. 110-77)	<input checked="" type="checkbox"/> 10 Oct 2007		<input checked="" type="checkbox"/> 14 Dec 2007		<input checked="" type="checkbox"/> 22 Jan 2008 (H.R. 4986)	

SUMMARY OF FUNDING AND STRENGTH AUTHORIZATIONS

- National Guard and Reserve Equipment Appropriation: For the first time NGREA, money has been authorized. In the past it was appropriated without authorization. (Sec. 105)
\$650M authorized for Army National Guard Miscellaneous Equipment
\$150M authorized for Air National Guard Miscellaneous Equipment
- ARNG O&M: \$5,857,409,000. This is \$17,200,000 above President's Budget (Sec. 301)
- ANG O&M: \$5,456,668,000. This is \$414,703,000 above President's Budget (Sec. 301)
- GWOT ARNG O&M: \$757,008,000 (Title XV, Conference Report page 1136)
- GWOT ANG O&M: \$103,267,000 (Title XV, Conference Report page 1136)
- GWOT Yellow Ribbon O&M: \$66,000,000 (Title XV, Conference Report page 1136)
- 351,300 ARNG End strength. Consistent with President's Budget. (Sec. 411)
- 106,700 ANG End strength. Consistent with President's Budget. (Sec. 411)

- 29,204 Army Guard AGRs. Consistent with President's Budget. Thirty-six extra AGRs for CST in FL and NY NOT included. (Sec. 412)
- 13,936 Air Guard AGRs. Consistent with President's Budget. Four extra AGRs for CST in FL and NY NOT included. (Sec. 412)
- 26,502 minimum number of Army Guard Dual Status Technicians. Consistent with President's budget. (Sec. 413)
- 22,553 minimum number of Air Guard Dual Status Technicians. Consistent with President's budget. (Sec. 413)
- 1,600 ARNG Non-dual Status Technicians This is consistent with President's Budget. (Sec. 414)
- 350 ANG Non-dual Status Technicians This is consistent with President's Budget. (Sec. 414)
- 17,000 Army Guard personnel on Active Duty for Operational Support. Consistent with President's Budget. (Sec. 415)
- 16,000 Air Guard personnel on Active Duty for Operational Support. Consistent with President's Budget. (Sec. 415)

OTHER HIGH INTEREST ITEMS

- **National Guard Empowerment Act** The majority of the provisions in the original Empowerment Act were included in the Conference Report. **See page 8 of this analysis for more details.** (Sections 1801-1826)
- **Insurrection Act** The changes made to the Insurrection Act in the FY2007 NDAA are repealed. (Sec. 1068)
- **Joint Cargo Aircraft** Senate language moving responsibility for intratheater airlift to the Air Force was stricken. Instead, no funds for JCA may be appropriated until completion of seven reporting requirements (see analysis below). (Sec. 131)
- **NORTHCOM Command NG in T32** The final bill does NOT include a requirement for the SecDef to establish policy for NORTHCOM to command National Guard troops in Title 32 status. (Provision previously included in House Sec. 1621b)
- **Advisory Panel on Civil Support** The Secretary of Defense shall establish an advisory panel to assess and make recommendations on DoD capabilities to provide support to civil authorities in the event of a chemical, biological, radiological, nuclear, or high-yield explosive (CBRNE) incident including the use of National Guard in federal and nonfederal status. In particular, the report shall include assessments of DoD capabilities for training and equipping forces, coordinating with other departments and agencies. (Sec. 1082)
- **Additional Civil Support Teams** No additional Civil Support Teams were authorized. The question was referred to the Advisory Panel on Civil Support (described above) to assess and make recommendations on whether there should be additional Weapons of Mass Destruction Civil Support Teams (WMD-CSTs) and, if so, how many and where they should be located. (Sec. 1082)
- **National Guard and Reserve Equipment Appropriation (NGREA)** authorized funding level is \$980M. Army National Guard: \$650M, Air National Guard: \$150M. (Sec. 105)
- **Retirement pay under 60 years of age** Eligibility age for retirement is reduced below 60 years by three months for each aggregate of 90 days a reservist serves on certain types of active duty. Active

duty service must be AFTER date of enactment. Eligibility may not be reduced below 50 years of age. (Sec. 647)

C-130E Secretary of the Air Force shall maintain any C-130E aircraft retired after 30 September 2006 in a condition that would allow recall of that aircraft to future service. The Secretary may remove these retired C-130 aircraft if he submits the Fleet Mix Analysis Study and waits 30 days. (Sec. 133)

C-130 E/H Secretary of the Air Force shall not retire any C-130E/H aircraft during FY2008. The Secretary may retire up to 24 C-130E/H aircraft if he during FY2008 if he maintains retired aircraft in Type-1000 storage, submits the Fleet Mix Analysis Study and waits 30 days. (Sec. 134)

KC- 135 E Retirement of KC-135Es may not exceed 85. (Sec. 135)

Joint Cargo Aircraft Senate language moving responsibility for intratheater airlift to the Air Force was stricken. Instead, prohibits Secretaries of the Air Force and the Army from obligating or expending authorized appropriations for the development or procurement of the Joint Cargo Aircraft until 30 days after the SecDef submits to the congressional defense committees the Air Force Air Mobility Command's Airlift Mobility Roadmap; the DoD Intra-Theater Airlift Capabilities Study; the DoD Joint Intra-Theater Distribution Assessment of the JCA Functional Area Series Analysis; the JCA of Alternatives; the Intra-Theater Airlift Fleet Mix Analysis; and the SecDef certifies that validated operational requirements exist to fill a Department of the Army, Department of the Air Force, ARNG, or ANG capability gap or shortfall for intra-theater airlift with the JCA. (Sec. 131)

Quarterly Personnel and Unit Readiness Report The Secretary of Defense's Quarterly Report to Congress on Personnel and Unit Readiness shall now include National Guard readiness for civil support missions. (Sec. 351)

Report on Readiness SecDef shall submit an annual report on plans for the improvement of the readiness of active and reserve component forces. (Sec. 355)

UH – 60 SecDef shall report on potential cost savings and operational benefits, if any, of permanently stationing no less than 4 UH-60, 2 CH-47, and 2 LUH-72 aircraft at the High-Altitude Aviation Training Site, Gypsum, Colorado. (Sec. 358)

Search and Rescue Reporting requirement on search and rescue capabilities of Air Force in Northwest US. (Sec. 360)

Sporting events The Secretary of Defense may support sporting events sanctioned by the US Olympic Committee through the Paralympic Military Program or sporting events in which at least 10% of athletes are members or former members of the armed forces who are participating based upon an injury or would incurred in the line of duty and veterans who are participating based on a service connected disability. (Sec. 372)



Active Duty for Operational Support SecDef must submit a report on the number of reservists on Active Duty for operational support. Due 1 March 2008. (Sec. 416)

End Strength The SecDef may authorize the Reserve Components to exceed legal end strength by 3% instead of the 2% previously allowed. (Sec. 417)

Military Personnel Funding No breakdown of military personnel funding. (Sec. 421)

Reserve Component GOs A limited number of Reserve Component General Officers (10% of authorized strength) on Active Duty for less than one year do not count against authorized GOs. (Sec. 502)

Dual Status Technicians Dual status military technicians may remain on as NDS techs if they have been separated due to a combat related disability without counting against the non-NDS limit. Such Military Technicians shall be removed no later than 30 days after turning 60. (Sec. 511)

Constructive Service Credit Reserve officers in certain health fields will receive constructive service credit. (Sec. 512)

Mandatory Separation of GOs Reserve Component Lieutenant Generals must separate after 38 years of commissioned service or five years after becoming an O-9, whichever is later. (Sec. 513)

Temporary Federal Recognition National Guard temporary federal recognition is increased from six months to one year. (Sec. 514)

Notification of Mobilization Secretaries shall provide notice to deploying servicemembers in advance of deployment date. In so far as is practicable, the notice shall be provided not less than 30 days before mobilization, but with a goal of 90 days prior to mobilization. Requirement may be waved during a war or national emergency. (Sec. 515)

Report on Relief from Professional Licensure Comptroller General shall report on effect of RC deployments on their professional licensure requirements. (Sec. 516)

Tuition Assistance Services may pay tuition for reservists with certain critical specialties, provided the reservist agrees to remain in the Individual Ready Reserve for at least four years after completion of training/education. (Sec. 521)

ROTC Medical Students The Secretary of the Army is authorized to modify agreements entered into by cadets in the ROTC scholarship Program who are selected to be medical students at a Uniformed Services University of the Health Sciences or to participate in the Armed Forces Health Professions Scholarship and Financial Assistance program. The Secretary may reduce or eliminate troop program unit service obligations and may establish, in lieu of that obligation, an active-duty service obligation upon a determination that it is in the best interests of the United States to modify the agreement and with the consent of the member involved. (Sec. 522)

ROTC Scholarships Previously, there was an annual limit of 416 ROTC scholarships awarded to cadets who agree to serve in the reserve components of the Army. That limit is repealed. (Sec. 523)

Accelerated Education Payments Allows accelerated payments of education benefit for servicemembers attending certain vocational training programs. This benefit has a cap of \$3M annually. (Sec. 528)

RC Contribution for Tuition Assistance RC deployed in support of OEF or OIF for two continuous years or more, or for three years cumulatively may contribute up to \$600 in \$20 installments for increased tuition assistance upon enrolment in approved educational program (Sec. 528)

Education Portability Following Force Restructuring Selected Reserve education benefits become portable after separation for some servicemembers who were separated due to force restructuring. (Sec. 529)

Education Benefit Portability Certain education benefits become portable for 10 years after separation from the reserves for reservists who served on active duty in support of a contingency operation for 90 consecutive days or more or performed full time National Guard duty under section 502 (f) of title 32 for 90 consecutive days or more, authorized by the President or SecDef to respond to a national emergency and supported by Federal funds. (Sec. 530)

Report on ARNG Officer Training SecArmy shall report on the success of the financial assistance program of the Senior Reserve Officers' Training Corps in securing the appointment of second lieutenants in the Army Guard and Army Reserve. Due not later than 150 days after enactment. (Sec. 532)

Report on Transferring RC Ed Benefits to VA SecDef and SecVA shall submit report on feasibility and merits of transferring the administration of the RC educational assistance programs (Chapters 1606 and 1607 of title 10) from the DoD to the Department of Veterans affairs. (Sec. 535)

Military Family Readiness Council The council shall review and coordinate family support for Active and Reserve components. (Sec. 581)

Family Support Study The SecDef shall conduct a study to determine the most effective means to enhance and improve family support programs for AC and RC before, during, and after deployment. (Sec. 581)

Yellow Ribbon Reintegration Comprehensive reintegration program for National Guard and Reserve members and their families throughout deployment cycle. Administered by Undersecretary of Defense for Personnel and Readiness. (Sec. 582) (\$66M is authorized for the Yellow Ribbon Reintegration Program in Title XV, the GWOT Supplemental portion of the bill, page 1136)

STARBASE Academies STARBASE Academies per state increased from two to four. (Sec. 592)

ESGR Annual reporting requirement on cases reviewed by National Committee for Employer Support of National Guard and Reserve. (Sec. 595)

BAH for Accession Training Reservists without dependents shall receive Basic Housing Allowance during accession training while maintaining a primary residence. (Sec. 602)

Income Replacement This section clarifies eligibility criteria for payments under the reserve income replacement program. It changes method for measuring cumulative periods of qualifying service by counting cumulative days, rather than months for purposes of income replacement. This section also authorizes the continuation of income replacement payments in the case of service members who are retained on active duty to receive authorized medical care or to be evaluated for disability. (Sec. 604)

Bonus Authority Authority to pay the following bonuses and special payments are extended for one year: SelRes reenlistment bonus, SelRes affiliation or enlistment bonus, the special pay for enlisted members assigned to certain high priority units, the Ready Reserve enlistment bonus for persons without prior service, the Ready Reserve enlistment and reenlistment bonus for persons with prior service, and the SelRes enlistment bonus for persons with prior service. (Sec. 611)

Reenlistment bonus Provides DoD with more flexibility in administering the reenlistment bonus for RC. Requires that period of reenlistment be at least three years. Eliminates tiered structure and requires only that bonus not exceed \$15,000. (Sec. 619)

Accession Bonus Authorizes payment of a Selected Reserve enlistment bonus to persons who had enlisted previously, but were unable to complete basic training requirements due to circumstances beyond their control and were separated under conditions either honorable or uncharacterized. (Sec. 620)

Inactive Duty Travel Authorizes reimbursement for Inactive Duty Travel expenses (up to \$300 per round trip) incurred by certain BRAC-ed members. (Sec. 631)

Readiness Screening Authorizes \$50 payments to Reservists who complete online screening to gauge individual readiness. (Sec. 633)

Moving Expenses for JROTC Authorizes Secretary of a military department to reimburse educational institutions for moving expenses paid to Junior Reserve Officers' Training Corps instructors when the secretary concerned determines the position is hard to fill for geographic or economic reasons. (Sec. 635)

Retirement Pay Eligibility Age Reduction Reduce the age at which a member of the Ready Reserve could draw retired pay at below the age of 60 by 3 months for every aggregate 90 days of certain types of active duty performed after the date of enactment of this Act. Under this provision, age at which retired pay is drawn cannot be reduced below the age of 50. (Sec. 647)

Years of Service for Retirement Pay Allows up to 130 inactive duty points to be used in retired pay calculation after October 29, 2007. Previous limit was 90 points. (Sec. 648)


Expansion of RC education loan repayment Expansion of education loan repayment program to include loans made by: an agency of a State, a financial or credit institution (including an insurance company) that is subject to examination and supervision by an agency of the US or any State, a pension fund approved by the Secretary for purposes of this section; or a nonprofit private entity designated by a State, regulated by that State, and approved by the Secretary for purposes of this section. Allows officers to participate instead of only enlisted members. (Sec. 672)

Healthcare Stipend for RC dependents The Secretary of Defense may pay a stipend for continuing health care coverage to reserve members called to active duty with a dependent possessing a special health care need that would best be met by remaining in the member's civilian health plan. (Sec. 704)

Continuation of TRICARE Eligibility Federal Employees already enrolled in TRICARE Reserve Select under an existing program may remain in TRICARE SR through the enrollment period for which they qualified under the program as in effect on 16 October, 2006. (Sec. 706)

TRICARE Reserve Select SecDef shall submit a report on Tricare Reserve Select implementation and member information. (Sec. 711)

Premob Physical Exams SecDef shall submit a report including 1) the results of a study of the frequency of medical examinations conducted by the armed forces prior to deployment; 2) a comparison of policies among the military departments of such medical examinations; and 3) a business case analysis for a single pre-deployment physical and single system for tracking medical examinations. Due no later than 1 April 2008. (Sec. 714)




Study on Size and Mix of Airlift Force Secretary of Defense shall conduct a study on the size and mix of various assets for the Air Force intertheater airlift force, with a particular focus on current and planned capabilities and costs of the C-5 aircraft and the C-17 aircraft fleets. This review shall cover alternatives on the size and mix of intertheater and intratheater airlift assets to meet the national military strategy. The provision would require that the study also evaluate the contribution of both organic and commercial assets, the latter coming primarily from the Civil Reserve Airlift Fleet. (Sec. 1046)

C-5 Aircraft The conferees direct the Air Force to identify options for accelerating the completion of C-5 RERP operational testing, including rephasing the program depot maintenance availability, that would: (1) complete all required testing objectives; (2) cut no corners regarding aircraft or aircrew safety; and (3) result in accelerating the completion of operational testing and producing the required reports from that testing. The conferees also direct the Secretary of Defense to conduct several program cost estimates and report to Congress by March 1, 2008. (This reporting requirement is included in "Provisions Not Included" on page 747 of Conference Report 110-447. This requirement was included in lieu of House language (Sec. 131 of House Mark) which would limit Sec Air Force's ability to retire C-5 aircraft.)

Reimbursement from Federal Agencies The Secretary of Defense shall require reimbursement from federal agencies when the National Guard provides support during some National Special Security Events. (Sec. 1061)

Insurrection Act The changes made in last year's National Defense Authorization Act to the Insurrection Act are repealed. (Sec. 1068)

Advisory Panel on Civil Support The Secretary of Defense shall establish an advisory panel to assess and make recommendations on DoD capabilities to provide support to civil authorities in the event of a chemical, biological, radiological, nuclear, or high-yield explosive incident. The advisory panel shall assess and make recommendations on whether there should be additional Weapons of Mass Destruction Civil Support Teams (WMD-CSTs) and, if so, how many and where they should be located. (Sec. 1082)



Improvements to care, management, and transition of recovering servicemembers Among other things, expands RC outpatient treatment at MTFs near home rather than at base from which the servicemember is deployed. (Sec. 1611)

Grade & Duties of CNGB Increases CNGB grade to General and designates as a principal advisor to SECDEF through CJCS on matters pertaining to non-federalized NG forces and other matters as determined by SECDEF. Also sets several qualifications for CNGB position. (Sec. 1811)

Joint Activity Designates NGB a joint activity of DoD instead of joint bureau of Army & USAF. (Sec. 1812.) Report language specifies that there this change should not result in any change in the day-to-day relationship between the Chief of the NGB and the Secretaries of the Army and Air Force and their respective staffs. (Sec.1812)

Charter Requires SECDEF to develop charter for NGB in consultation with CJCS, SecArmy and SecAF. Charter is required to address NGB responsibility to ASSIST THE SECDEF in facilitating and coordinating with other federal agencies, the TAGs, NORTHCOM and JFCOM on the use of NG personnel and resources in the conduct of operations under Title 32 or in support of state missions. (Sec. 1813)

Plan for Response to Disasters and Attacks Requires the SECDEF, in consultation with the DHS, CJCS, NORTHCOM and CNGB on plan for coordinating use of National Guard and active duty armed forces when responding to disasters, terrorism and other man-made disasters. Plan shall include identification of National Guard equipment required for civil support. Plan due to Congress 1 June 2008 with update by 1 June 2010. (Sec. 1814)

Civil Support Requirements Requires SECDEF, in consult with DHS, to determine military-unique capabilities needed for civil support in an incident of national significance of a catastrophic incident, and, in coordination with Service secretaries & CJCS develop and implement a plan for providing the necessary funds and resources. (Sec.1815.)

NORTHCOM Review RC Requires the CJCS to review positions, job descriptions, and assignments within the NORTHCOM with goal of determining the feasibility of significantly increasing the number of RC members assigned. Due to SECDEF within 1 year of enactment and to Congress 90 days later. (Sec. 1821)

Council of Governors Requires the President to establish a bipartisan council of governors to advise SECDEF, DHS, White House HS Council on matters relating to the NG and civil support missions. (Sec. 1822)

Reserve Forces Policy Board Requires the SECDEF to provide Congress NLT 1 July 2008 with a plan to implement revisions to the Reserve Forces Policy Board which the Secretary determines necessary. Plan shall be consistent with findings of the Commission on the National Guard and Reserves and take into consideration views of civilian and military leaders, past chairmen of the RFPB, private organizations with expertise and interest in DOD organization, and others at SECDEF discretion. (Sec. 1823)

RC Consideration for LTG Positions Expresses the Sense of Congress that, whenever O-8s are considered for promotion to O-9, RC officers should be considered. (Sec. 1824)

Chairman's 10 now 15 Increases from 10 to 15 the number of RC General Officers authorized to serve at combatant commands under 10 USC 526(b)(2)(a). (Sec. 1824)

NG Deputy Cdr NORTHCOM Requires that at least one deputy commander of the combatant command the geographic area of responsibility of which includes the United States shall be a qualified officer of the National Guard who is eligible for promotion to the grade of O-9, unless a National Guard officer is serving as commander of that combatant command. (Sec.1824)

Joint Duty for TAGS SecDef must submit a report on the appropriateness of joint duty credit for TAGS. (HASC Rep. 110-146 p. 472)

Retirement Age of RC General Officers Several changes to reservist GO retirement ages which DO NOT apply to Adjutants General, CNGB, DARNG, or DANG. Those officers may still be federally recognized through age 66. Other RC Major Generals and above must retire at age 64. Those serving in Lieutenant General or General position may get waivers to age 66 or 68 approved by SECDEF or POTUS respectively. RC officers in the grade of General must be separated after 40 years commissioned service. (Sec. 1825)

NG Equipment Report Addition Requires the annual NG and Reserve Equipment Report to include CNGB certification of inventory of equipment funded and programmed but not received. (Sec. 1826)

Federal Employees Life Insurance Federal civilian employees who are members of a Reserve Component and are called to active duty may continue coverage under Federal Employees Group Life Insurance for up to 24 months, provided they make premium payments after the initial 12 months of coverage. (Sec. 1102)

ARNG \$538,856,000 (Div. B)

ANG \$287,537,000 (Div. B)

Fort Buchanan The moratorium on improvements to Fort Buchanan in Puerto Rico is repealed. (Sec 2876)

Project List For a list of authorized Military Construction projects by state, see the charts in Division B of the Conference Report (Conf. Rep. 110-447). They start on page 1187 and continue to page 1203. The complete conference report is available on our website at:

[HTTP://WWW.NGB.ARMY.MIL/LL/](http://www.ngb.army.mil/ll/)

In contrast to previous versions of the bill, the NDAA Conference Report DOES NOT include...

NGB Role in Emergency Response Gaps. The final bill does NOT require that CNGB identify federal/state emergency response gaps; validate requirements, develop doctrine, make funding recommendations, administer funds or acquire capabilities. Note that the conference report DOES establish a DoD advisory panel to assess and make recommendations on capabilities to provide support to civil authorities including the use of National Guard in federal and nonfederal status.

Separate Budget Documents for NG Support to Civil Authorities. The final bill does NOT require that annual budget justification documents submitted to Congress specify separate amounts for NG training and equipping for purposes of civil support. Note the conference report DOES require the SECDEF to determine the military-unique capabilities needed to be provided by the DoD to support civilian activities in an incident of national significance and that he plan in coordination with Services and CJCS, for funding.

RC Consideration for LTG positions. The final bill does NOT require that the President certify that reserve component Major Generals have been considered when sending to the Senate nominations for promotion to Lieutenant General. The final bill does NOT require that SecDef submit a report recommending legislative and administrative actions to encourage promotion of RC officers from MG to LTG. Note that the conference report DOES express the "Sense of the Congress" that RC officers should be considered.

Civil Support Teams The final bill does NOT authorize an increase from 55 to 57 civil support teams, adding one in New York and one in Florida. (Provision previously included in House Sec. 1051) Note that the conference report DOES direct that a DoD advisory panel address the question of if and where additional CSTs may be needed.

NORTHCOM Command NG in T32 The final bill does NOT include a requirement for the SecDef to establish policy for NORTHCOM to command National Guard troops in Title 32 status. (Provision previously included in House Sec. 1621b)

Total Force Montgomery GI Bill The final bill does NOT move administration of the education benefits outlined in the Montgomery GI Bill – Reserve Components from the Defense Department to the Veterans Administration. (Provision previously included in House Sec. 525)

Joint Network Node The final bill does NOT include a Senate provision (sec. 114) which would have required the Secretary of the Army to consolidate the Joint Network Node (JNN) program and the Warfighter Information Network- Tactical (WIN-T) program into one tactical network program is rescinded. The Conference Committee notes that subsequent to the Committee on Armed Services of the Senate's mark-up of the NDAA, the Under Secretary of Defense for Acquisition, Technology, and Logistics certified a restructured WINOT program consisting of four distinct increments that provide increasing capability. The first increment of the new program consolidated the JNN program into the WIN-T program, as prescribed by the Senate Bill. (Conference Report 110-447, p. 746)

Joint Duty for TAGS The final bill does NOT include joint duty service credit for Adjutants General. Instead, the SecDef must submit a report on the appropriateness of joint duty credit for TAGS (HASC Rep. 110-146 p. 472). The conference report also expands from 10 to 15 the number of RC general officers serving at combatant commands.

Equipping The final bill does NOT include a Sense of Congress that NG should have equipment for domestic missions and to protect the homeland. (Provision previously included in Senate Sec. 1081)